

STATEMENT

The Justice mining operations encompass many mines in 5 states: Alabama, Kentucky, Tennessee, West Virginia and Virginia. Many of these operations have been purchased over the years from previous operators. These operations are made up of surface mines, underground mines, preparation plants, and loadout facilities. Today within the Justice Group we have been assessed approximately \$4.3 million dollars in MSHA related penalties. The Justice Group vehemently denies responsibility for this total. A very significant portion of this total is made up of penalties assessed to Mechel OAO, a Russian mining company, while it owned Bluestone Coal and related companies in WV prior to acquisition by the Justice Family. The Justice group has been and is currently involved in negotiations with MSHA and related Government agencies to reach a fair and reasonable settlement of fines imposed during the Justice Group's ownership. The Justice Group is also very proud to report that its accident and incident history of currently operated mines is very favorable. The Justice Group has enjoyed and continues to hope for a good working relationship with MSHA and other agencies through this matter and into the future. We trust that these outstanding assessments will be treated in a consistent manner as they have with other operators throughout the nation.